

12-31-03

3673



750 BERING DRIVE  
HOUSTON, TX 77057-2193  
PHONE 713.787.1400  
FAX 713.787.1440  
A LIMITED LIABILITY PARTNERSHIP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In application of:  
LEE, Li-Jien.

Serial No.: 10/065,141

Confirmation No.: 2759

Filed: September 20, 2002

For: ACID COATED SAND FOR GRAVEL PACK  
AND FILTER CAKE CLEAN-UP

Group Art Unit: 3673

Examiner: KRECK, John J.

Atty. Dkt. No.: 11836.0735.NPUS00  
MIDR:735

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GROUP 360C

**RESPONSE TO RESTRICTION REQUIREMENT**

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Signature

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Office Action mailed on September 30, 2003, Applicant requests the following:

**TRAVERSAL OF RESTRICTION REQUIREMENT:**

Applicant traverses the restriction requirement on the grounds that the Examiner will not incur an undue burden, which is one of the two requirements for supporting a restriction requirement as noted in the Manual for Patent Examining Procedure § 803. It is respectfully submitted that during the searching of the prior art for the limitations recited in the claims of the provisionally elected Group III, the Examiner will necessarily be required to search the classes that include Groups I and II. Further, it is submitted that during the course of that search, the Examiner will by necessity search and consider these limitations and in doing so will necessarily



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search the art in the classes and subclasses of the other Groups. Therefore, the Examiner will not be subjected to multiple searches and thus the current situation does not constitute an undue burden for the Examiner. In view of the above arguments, Applicant requests that the restriction requirement be reconsidered and withdrawn, and all the claims be examined together on the merits.

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**PROVISIONAL ELECTION OF GROUP III:**

Applicant requests that the Examiner conduct the examination of the above referenced application based on Group III, including dependent claims 17-22 and 26 and independent claims 16 and 25 which are directed to a process of using the proppant.

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Applicant requests a two-month extension of time and Applicant's representative authorizes the Commissioner to charge the two-month extension of time fee to Deposit Account No. 01-2508, referencing Order No. 11836.0735.NPUS00.

Additionally, Applicant requests any additional extension of time that may be deemed necessary to further the prosecution of this application. Applicant's representative also authorizes the Commissioner to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 01-2508, referencing Order No. 11836.0735.NPUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, Applicant respectfully requests that the Examiner directly contact the undersigned by phone to further the discussion.

Respectfully submitted,

Michelle C. Replogle  
Patent Attorney  
Reg. No. 54,394  
Tel. 713.787.1535  
Date: 12/30/03